

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIAXUEFENG HUANG,  
Plaintiff,

v.

BAOLIN GE,  
Defendant.

Case No. 19-cv-02132 LHK

**ORDER VACATING SETTLEMENT  
CONFERENCE; ORDER TO SHOW  
CAUSE WHY DEFENDANT AND  
HIS COUNSEL SHOULD NOT BE  
SANCTIONED**

A settlement conference is scheduled before me on June 23, 2020. (ECF 68, setting conference). Defendant's settlement brief was due June 16. As of this writing on the evening of June 19, defendant has not submitted a settlement brief. A reminder email to defendant's counsel John Kitta earlier today from my courtroom deputy was not answered. This non-responsiveness is consistent with litigation activities documented in prior orders in this case by the trial judge (dismissing counterclaims at ECF 79) and me (recommending default judgment at ECF 82). The non-responsiveness also contradicts attorney Kitta's June 12 brief representing that his office "is prepared to move forward with the representation of Mr. Ge." ECF 83 at 2:24.

This order VACATES the June 23 settlement conference. It is unfair to plaintiff, her volunteer limited purpose counsel, the interpreters, and the Court, to prepare for and appear at a court hearing when there is no indication that defendant and his counsel will participate. Instead, attorney John Kitta must show cause why he should not be sanctioned

\$500 for his failure to respond to court orders and failure to communicate with opposing counsel and the Court. Attorney Kitta must respond in a filed writing by June 26 and appear by telephone July 1, 2020, at 10:00 a.m., by calling 888.684.8852, passcode 1557087.

**IT IS SO ORDERED.**

Dated: June 19, 2020

  
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NATHANAEL M. COUSINS  
United States Magistrate Judge

United States District Court  
Northern District of California